The Extent of the Sword.

ALl Governments are like *Nebuchadnezzars* Image, *Dan. 2. whose Head was of Gold, and his Feet of Clay*; they are best at first, but by continuance are embased, and by time degenerate into Tyranny, (which is an incroachment upon the Rights, Liberties, Priviledges of the People, and an exercising of an unbounded Power) as we see in the Raigne of *Rehoboam*, 1 Kings 12. 14. and Tyranny must needs be repulled, overcome by Warre, or some greater Power: as in the cases of *Holland* and of *England*. The Church-commonwealth of the Jews, had this peculiar, that her Govern ent was appointed, and her first Governors, *Moses*, *Joshuah*, *Judges*, *Saul*, *David*, (all Sword-men) called immediately by God himselfe. But all Governments among the Nations of the Gentiles hath been first founded by the Sword, and are maintained by the Sword, which is the defender of Justice; for without the Power and Force of the Sword, Lawes could not be executed: and hence Powers are said to beare the Sword, *Rom.* 13. to signifie Power and Rule; and every Magistrate holds by the sword and rules by the sword; for where there is no Power, there can be no Law. And therefore the power Military, and Legislative, must alwayes goe together in every Supreame Power; which is originally in the People, but executively it is in one, and then it is Monarchicall Government; or it is placed in many, chosen by the People, and then it is called Democraticall Government; or else it is in the hands of some chiefe Officers (*optimatum*) and then it is Aristocraticall Government: and the supreame Power may be made up of all these three by way of co-ordination. This supreame Power seated in the Peoples deligates must be executed by Officers appointed by it selfe, the power Military by sword men; The power Legislative by Courts of Justice and Judges annually chosen by the People for those Courts, to judge in all cases of Tytles, and by Rules agreed on, and consented unto by the People; whose consent (not old corrupt custome) makes Law. The supreame Power is the Fountaine; lower Courts the streames to convey justice and righteousnesse unto us, (as *Water*, freely, without oppressing, speedily, without delay; powerfully, without respect of Persons, *Amos* 5. 24.) And as the one is constituted, so will be the other, the evills and the disea-

ſea of the one, will be found in the other. The power Military and Magiſtraticall, meet together in the ſame ſupreame Nationall Power, and ſo are not ſubordinate, but co-ordinate, as the King and Houſe of Commons were; for the firſt could not poſſibly act or ſubſiſt without the latter; and in caſes of danger and neceſſity, one co-ordinate Power (more neceſſary to the Peoples good and ſafety) may regulate, yea, diſſolve another co-ordinate Power which would be deſtructive to the Common-wealth: Thus the Houſe of Cómons did by the help of the Military Power (without which, they could not have acted) take away Regall Power; Thus the Military Power (as a co-ordinate Nationall Power) did take away, and ſeclude certain Rotten Members of the Houſe of Commons; for among co-ordinate Powers, whereſoever Tyranny or miſ-government ariſes, it may be removed by Force; and that Force prevailing, is commonly called Conqueſt; a word that ſounds harſh to ſome, but muſt be juſtified by us who owne it; for it is our conqueſt, not the Armies (the Army being conſidered as the peoples power, choſen by the people payd by the people, intruſted with the peoples welfare and defence, acting all as hitherto they have done, and we hope ſhall) for the good, liberty, and freedom of the people: by people is meant the ſound, well-affected part, the reſt are the conquered ſubdued part, who can challenge no right in that free election, which is the fruit of conqueſt. It would be frivolous to diſpute *de iure & de facto*, when neceſſity calls for force to preſerve the whole; which force prevailing, muſt always be preſumed to have right, in which we are to acquieſſe (elſe there could never be any peaceable government) as in the caſe of *Jeroboam* (having ten Tribes joyning with him) for force and power doe determine and conclude the caſe, 2 *Chron.* 11. 3. 4. and is not to be reſiſted (being a power bearing the ſword, *Rom.* 13.) ſo long as it is in poſſeſſion of abſolute Conqueſt, and thereby declared by God to have right to the execution of the ſupreame power for the defence and ordering of the Common-wealth. This then is evident, That all civill power is the reſult of ſome force or conqueſt made upon an oppoſing part; Conqueſt makes way for ſettlement and free elections, and ſo puts a people into poſſeſſion of their right (which Tyranny had taken away) and that election of the people makes and conſtitutes all ſorts of Majeſtracy which doth ariſe out of, and is founded upon the power of the ſword, and ſome way or other hath

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its deſcent from the loynes of Conqueſt, by which alſo it is guarded. Hiſtories of all Nations yeeld manifold examples that would fill Volumes; the moſt of the Laws of *England* were received from the *Saxon*, *Daniſh* and *Norman* Swords (which were Forraigne Powers) and the Kings of *England* (as Succeſſors, by way of Conqueſt) have derived their Power for above 500. yeares from the *Norman* Sword, untill now that the people have again by conqueſt recovered their right (both the *jus Militia*, and *jus Legis latorum*) out of the hands of Regall Power uſurping it; and all lower Governments muſt hold of this conqueſt made by the People in theſe three Nations, and muſt derive their legitimation from this fountain of power, by way of free election.

Queſt. *But may Sword-men be inveſted with a power of exerciſing civill Juriſdiction?*

A. A Martiall and a Civill Power may meet both in one Perſon, as a Collonell in an Army may be a Parliament man, may be Judge of a Court; though as a Collonell, he cannot doe the acts proper to a Judge nor as a Judge the acts proper to a Collonell, for they are diſtinct powers, yet exerciſed by one and the ſame perſon. Hyſtory abounds with examples, that the firſt Miniſters of all Governments have been Souldiers; as among the Jewes, *Moſes*, *Joſhuah*, *Judges*, *Saul*, *David*, all Sword-men: And among the Gentiles the Roman Emperors, and their Deputies in Countries, as *Pilate*, *Gallio*, *Felix*, who were Sword men intruſted with civill Juriſdiction, *Acts* 24. 10. and 25. 10. And *Paul*, *Rom.* 13. exhorts *to be ſubject to ſuch higher Powers, as ordained of God*, by whom they beare the Sword, and very juſt in their civill actings were thoſe Roman Deputies; and therefore it is obſerved, That the Roman Empire flouriſhed ſo long by reaſon of their great juſtice. The Roman power that conquered *Judea*, was ſo juſt and favourable. 1 *Mac.* 8. 1. that it gave the Iews free liberty in the exerciſe of their Religion (which was denied under *Antiochus Epiphanes*, and the Grecian Monarches, *Dan.* 11. 3. and 8. 11.) onely when over-acted and over-ruled by the zeale and violence of the Iews in the things of their Religion, then it became Tyranniall, *John* 19. 1. *Acts* 24. 27. Theſe Iews, with the Scribes and Phariſees, (the great Doctors of the people, whom they admired ſo much for their Piety and Learning) were the moſt zealous and perſecuting people, killed their own Prophets, and the Lord Ieſus the Prince of

life, and the Apostles, *Ieremy* 26. 16. *Acts* 12. 2. 3. which made *Paul* rather desire that his Tryall should be at *Cæsars* Bar, (a Forraine and Military power) then in the Courts of his own Country-men at *Ierusalem*, *Acts* 25. 9. 10. *Christ Iesus* could not (as we may say) have suffered in any other Nation then among the zealous Iews, and a professing zealous people, (as the Iews were) shall have a principall hand in slaying the Witnesses, *Rev.* 11. who have suffered, and shall suffer both by Civill and Ecclesiasticall Powers (as *Christ* did) and that principally for holding out Truths of Worship (which are not yet all witnessed unto by the Churches of *Christ*) soChrist and the Apostles suffered, as enemies to *Cæsar*, changers of the Jewish Customes, received from *Moses*, *Acts* 21. 21. and 6. 19.

Quest. *May the Supreame Power of any Nation set up a State-forme of Religion, and make penall Statutes about it?*

A. A State may declare for one way of Religion, more then another, and may give that way countenance and maintenance, as it better comports with the temper and constitution of that State, (though the holy wayes of *Christ* are every way consistent with all Formes of Government, teaching us subjection to them all, as Ordinances of God) but it ought not by Fines and Imprisonments, to compell others to that State way of Religion or Worship: as he *Dan.* 3. 5. 6. but such as will freely submit to it may; such as cannot in conscience, ought not to be molested, seeing they render all civill obedience, and desire no maintenance from the State but onely free liberty and protection in the exercise of Religious Worship: The evills that the world hath felt by the usurpation of the Civill Sword (whose powers extend onely to matters of wrong and wicked lewdnesse, oppressions, adulteries, drunkennesse, or generally whatsoever is against the good of humane society, *Acts* 18. 12. 14. 15.) in the things of Gods Worship, should caution all Powers not to stretch the Sword to mens soules, which can onely reach mens bodies. The first constitution of Nationall Governments, being founded by the sword; how unreasonable is it for them to challenge power in things of Religious Worship? (as usually is the policy and custome of Conquerers to conquer mens consciences and bodies both at once, and to set up a Religion by the sword, (and easily may they doe it, for *Regis ad exemplum &c.*) so *Belus* did of *Baal*, among the *Assirians*. *Numa Pompilius*, among the *Romans*: *Alexander* among the *Grecians*;

Christians: Ieroboam among the *Iewes*, 1 *Kings* 12. 26. &c. *Constantine* among the Christians; *Mahomet* among the Turks; *Victor si, volentes per populos dat iura, viam prescribit Olympo*: In absolute Conquest, men may and must prescribe Laws and Rules for the ordering of the Common-wealth, not of the conscience, which belongs to another jurisdiction.) All civill power is derived from the people, and they can give no other then what they themselves have, *viz.* A civill power, for civill ends and uses. The giving of those Titles of *Nursing Fathers of the Church* to Kings of this constitution (as the Translaters of the Bible (though worthy men otherwise) doe in their Epistle to King *James*) savors too much of flattery. At the conversion of the Iews (that beloved people, *Rom.* 11. 25. 26. 27. 28.) and at the Kingdome of *Christ*, we shall see such Kings, as shall both be Kings and Priests, *Rev.* 5. 10. as *Melchizedek* was. who shall have all the glory of the Nations presented to them; untill then, we cannot look for any great matters from the Rulers and Governors of this world, though we may have many glorious glimpses and blessed intervales of peace and liberty; yet this world must end with a Tragedy, *Rev.* 11. 7. 9. after which shall begin *Christs* and the *Saints* World; *ver.* 15. *even as it behoved Christ to suffer, and to rise from the dead the third day, and so to enter into glory*, Luke 24. 26. 46.

Q. *What then doth Civil Power respect?*

A. Not matters of Religious Worship, but of civill liberty and propriety (*meum & tuum*) not ordering the Church, but the world in peace and righteousnesse, with a mutuall interchange of universall protection, and universall subjection. The policy of Prelates hath so twisted, and by the means of their Tythes (a spirituall businesse, which must be gathered by the power of the Temporall Sword) so lincked the Civill and Ecclesiasticall Power together in this Nation, that it will be a hard knot to untye; they have made powers beleeve, that whatever is against them, is against *Cæsar*, *Iohn* 19. 12. and have possessed mens consciences with such notions as these; *No Bishop, no King; no Tythe, no Ministery, no Magistracie.*

Some * *Zealots*, thinking to imitate the Iewish Magistrates and Priests, *Nehemiah*, *Ezra*, and *Iehoiada*, have run into hot persecution,

* I meane not such as burn with love to Christ, & his ordinances even to a consumption of themselves, Ps 69. 9. but those rigid spirits, that would have all others consumed & burned that are not of their judgements (Luk. 9. 54. 55. 56.) who if they had been to Write Rules to Governments, would have prescribed others, than the Apostles by the Spirit of God did.

cution, ſo that men may more freely Worſhip God under a Turkiſh Power, then under ſuch Iewiſh Zealots could they but have the command of the Sword. To force Religion (as *Scanderbeg* did Baptiſme upon the Turks, at the taking of *Croy*) is Turkiſh and Popiſh, Anti-Chriſts way is compulſion. Chriſts way is to entreat, and beſeech; perſwade and convince men. All Worſhip that proceeds not from the underſtanding, and the will, is abominable. How many hypocrites have State-Religion made? for Magiſtracy (and moſt with it) ſtill turnes and changes with the ſouldiers ſword, and is one while for the King, and then for the Parliament; one while Popiſh, and then Proteſtant, than Prelaticall, then Presbyterian: a miſerable Religion, that hangs upon the Magiſtrates Mace, or the ſouldiers ſword. The laſt Parliament, however it expired not ſo honourably, yet deſerves a moſt honourable epytaph in that it did ſo much forbeare to make conſcience-torturing Laws about Divine Worſhip, (which Parliaments were wont to doe) and declared for the liberty of all the *Churchs* of the Saints of ſeverall judgements. Where nothing of tumult or ſedition appears, Powers may not inflict death and bonds, *Acts* 23. 29 meerly for hereſie (which may be verity) and *Pauls* apology before *Felix*, *Acts* 24. 10. to 22. may ſerve all Chriſtians to plead. Thoſe men that are moſt ready to ingage the powers of the world in religious concernments, and to charge others (who deny the Magiſtrates power in matters of religious worſhip) to be deniers of Magiſtracy, are apteſt to be moſt unquiet and refractory againſt governments, as might be ſhewed in examples of the Iews, the Prelats, the Scots, thoſe Zealots for State Religion, State-uniformity, the mother of perſecution and hypocriſie; States muſt promote publique liberty, and freedom; Churches (as the ſpouſes of *Chriſt*, his glory, entruſted onely with all his power and ordinances) muſt propagate the Goſpel, the deareſt thing *Chriſt* hath in this world, fit to be medled with by no hands, but thoſe of his own ſpouſe, the Church. Pittifull worke there will be, when Religion comes into the hands of ſtateſ-men, they will uſe it for deſignes, ſelfe-intereſts onely, (ſufficient inſtance in theſe Nations) and ſet up *Ieroboams* Calves, and old cuſtomes, for Religion.

Q. *Shall Papiſts be protected?*

A. None that will be true and faithfull to the Common-wealth, ought to be moleſted for their Religion. Papiſts may obey, they muſt

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not elect or be in office, such blacke markes being set on that Romish Religion, by the bloody persecution of the Martyrs in Queen *Maries* time, the Gun-powder-treason in *England*, and their Tenets being to murther Hæretick Princes, as *Ravaliake* did *Henry* the fourth of *France*, besides their owning a Forraigne and an Ecclesiasticall power to be supreame, and above the civill power of *England*, is dangerous, if not inconsistent with fidelity to this Common-wealth. A meer silly devout Papist, that minds onely his Beades and his Crucifix, ought not to be persecuted; such poor soules we should labour earnestly to reduce with meeknesse, gentlenesse of instruction, 2 *Tim.* 2. 24. 25. not with Fines and Imprisonments.

Q. *Who may be called to the exercise of power Supreame or Inferiour in this Common-wealth.*

A. All those (by what names soever distinguished whether Independent, Anabaptists, Presbyterians, who have followed God in these great providences and changes) that have opposed the Tyranny of the Papall, Prelaticall, Regall, Malignant Party, sought for publique liberty and propriety, and its the price of their blood, and reason speakes, they ought to be taken unto supreame, or subordinate Governments. Diversities in judgement should not exclude from Government, where all have engaged equally in the Field, against the publique enemy, and doe declare for this present Government of the Common-wealth, against Kingly Government, which many secretly labour to bring us back unto, against which, the Army is under God the Common-wealths shield, which God hath owned, and we must owne.

Q. *May not the Sword be taken up for Religion?*

A. As Christians we must suffer for Religion; but as men, we must fight for our civill liberties, having a Nationall authority to act by. The effects of fighting for Religion and covenant (which good men were mistaken in) we have experienced in the Scottish Army, (who made more Papists than there were &c. as the massacrers on Saint *Bartholomew* night in *France*, made more Protestants that there were) one while comming in for the Parliament another while for the King and both times with the Covenant. *England* may remember that *Covenant*, they payd deare for it. Anti-christs Government hath been constituted upon and made up of civill powers, he hath acted by the civill sword, and shall perish by it, *Mat.* 26. 52.

Q. But

Q. *But suppose the Power be usurped Power, may we obey that?*

A. We are not to question the Powers in being, (*Christ* and the Apostles, the ancient Christians did not so) but to be subject to them, as ordained of God. Though it be a Popish, Turkish power, yet they are of God, and we living under them, ought to acknowledge them Lawfull, and to obey them in all civill respects. All Powers *Rom.* 13. higher Powers (he doth not distinguish of lawfull and usurped power, civill and martiall power, Heathen and Christian, Popish and Protestant power) must be obeyed not disputed, they are all Ordinances of God, for common good and protection. Powers that degenerate into Tyranny, God (who loves justice and righteousnesse) will deale with in terror and majesty, (as we have seen) but they must not be resisted, unlesse God raise up a Nationall power to resist them. All powers whatsoever have their Commission from the high God, to execute justice and righteousnesse; if they doe not, God will leave them and when he dis-ownes and with-drawes his power, his presence, how weake is a King a Parliament, an Army? His name is the Lord of Hosts, the God of Armies, a dreadfull, a terrible God. These many yeares together he hath hath been appearing to *England Scotland* and *Ireland* in those glorious Titles and Names of his. God hath taken up his Sword, *Ier.* 47. 7. and he will not lay it downe, till he bring downe every high thing of man. *Isay* 2. Though the sword hath nothing to doe in his Churches (he hath his Fann for them) and shall have nothing to doe in *Christs* Kingdome, (there shall be no speares and swords in it, *Isay* 2. 4 no Devill to deceive the Nations, *Rev.* 20. 3.) yet it is *Christs* Batle-axe, to breake Thrones, cut off Powers, for their persecutions and oppressions; and in England it hath been wielded with the right hand of God in power and majesty, against bloody *Herods* and persecutors. Gods designe now, is to appeare glorious before the Nations, to put on the garments of vengeance, *Isay* 29. 17. 18. and terribly to rebuke the pride of all Languages. *Ier.* 25 15. *Christ* is going on, and we must follow him in untrodden paths. Great glory will breake out of these clouds, things we thinke so strange. The gloriousest designes of Heaven, have the weakest beginnings to the eye of reason, which judgeth all by advantages; successes, is blind to promises, in which Faith sees all the Interests of *Christ* carried on, even when providence seems to act in various and crosse methods.

23. *Day*, III. *Moneth*, 1653. T. L.